

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Portnoy et al.

Serial No. Not yet assigned

Filed: Herewith

For: *Intracellular Delivery Vehicles*

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

Attorney Docket No. B98-039-4

Date: July 25, 2003

This is a CON of USSN 09/949,109, filed Sept. 7, 2001, now Pat No. 6,599,502, which is a CON of USSN 09/469,197, filed Dec. 21, 1999, now Pat No. 6,287,556, which is a CON of 09/133,914, filed Aug. 13, 1998, now Pat No 6,004,815

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97 (b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner,

In accordance with 37 C.F.R. §1.56, this Information Disclosure Statement is being submitted for the above-referenced application.

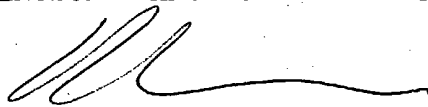
Applicants presume the examiner is aware of and has copies of the references cited on the attached, as they were all cited in the prior applications 09/949,109, 09/469,197 and 09/133,914. If the Examiner would like copies of any of these references, Applicants will be pleased to provide them.

In accordance with 37 C.F.R. §1.97 (g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined by 37 C.F.R. §1.56 exists.

In accordance with 37 C.F.R. §1.97 (h) the disclosure contained herein is not intended to constitute an admission that any patent, publication, or other information referred to is "prior art" or "analogous art" for this invention.

The Commissioner is hereby authorized to charge any fees, if necessary, or credit any overpayments to Deposit Account No. 19-0750. (Order No. B98-039-4)

Respectfully submitted,
SCIENCE & TECHNOLOGY LAW GROUP



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INFORMATION DISCLOSURE CITATION PTO-1449				ATTY. DOCKET NO. B98-039-4		SERIAL NO. Not yet assigned	
				APPLICANT Portnoy et al.			
				FILING DATE Herewith		GROUP	
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	4,888,170	12/19/89	Curtiss, III				
	5,294,441	3/15/94	Curtiss, III				
	5,387,744	2/7/95	Curtiss, III et al.				
	5,424,065	6/13/95	Curtiss, III et al.				
	5,855,879	1/5/99	Curtiss, III				
	5,855,880	1/5/99	Curtiss, III et al.				
	5,824,538	10/20/98	Branstrom et al.				
	5,877,159	3/2/99	Powell et al.				
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Dietrich G. et al. "Delivery of antigen-encoding plasmid DNA into the cytosol of macrophages by attenuated <i>Listeria monocytogenes</i> " Nature Biotechnology vol. 16, January 1998, pages 181-185						
	Darji, et al., Cell 91:765-75 1997						
	Higgins et al., Nature Biotechnology 16(2):138-9 1998						
	Higgins et al, Molecular Microbiology 31(6):1631-41 1999						
	Ikonomidis et al., Journal of Experimental Medicine 180(6):2209-18 1994						
	Branch, TIBS 23:45-50 2/1998						
	Gholizadeh, Y. Et al., June 1996, Journal of Clinical Microbiology 34(6):1391-95						
	GenBank Accession U02451						
	Anderson, Nature 392:25-30 2/1998						
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.